

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                         |   |                      |
|-------------------------|---|----------------------|
| SCOTT A. CASH           | ) |                      |
|                         | ) |                      |
| Petitioner,             | ) | 4:06CV3073           |
|                         | ) |                      |
| v.                      | ) | MEMORANDUM AND ORDER |
|                         | ) |                      |
| ROBERT HOUSTON, et al., | ) |                      |
|                         | ) |                      |
| Respondents.            | ) |                      |

This matter is before the court on Plaintiff's motion to withdraw prior pleading. (Filing No. 33.) On August 23, 2006, the court ruled on the merits of the prior pleading (filing no. 22) which Plaintiff now seeks to withdraw. (Filing No. 23.) The court sees no purpose in permitting withdrawal of a motion which has been fully resolved on the merits. Plaintiff's motion is therefore denied.

IT IS ORDERED THAT Plaintiff's motion to withdraw prior pleading (filing no. 33) is denied.

August 31, 2007.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge